THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION NO.1290 OF 2001

DATED:17.2.2006

Between:

Velpuri Surya Prakasa Rao

…Petitioner

And

Collector, Kakinada,

East Godavari and others

…Respondents

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION NO.1290 OF 2001

ORDER:

The petitioner filed the instant Writ Petition seeking a Writ of Mandamus directing the respondents to grant patta to the petitioner in respect of the land comprised in S.No.496 admeasuring Acs.1.50 in Torredu Village, Rajahmundry Rural Mandal. The petitioner seeks patta either under A.P. (Andhra Area) Inams (Abolition and Conversion into Ryotwari) Act, 1956 (for short, the Act), or under the Board Standing Orders. It is the case of the petitioner that his forefathers were in possession of Acs.6.00 in S.No.496 of Torredu Village for more than 120 years, and at present he is in possession of Acs.1.50. He alleges that though the respondents issued pattas to five other persons who were in possession of the land along with petitioner's grandfather, the same was not granted to the petitioner.

A counter affidavit is field by the Mandal Revenue Officer stating that the land admeasuring Acs.6.00 in S.No.496 was already assigned to nine eligible landless poor persons and the land in possession of the petitioner was also taken under the control of the Government (Village Administrative Officer) on 8.10.2000. It is also averred that the petitioner is owner of the land for which he obtained pattadar passbook and therefore he is not eligible for assignment of land under Board Standing Orders.

Though interlocutory applications are listed, the matter was heard finally. The petitioner approached this Court alleging that he is landless poor person and he is entitled for patta either under Board Standing Orders or under the Act. It is now revealed in the counter affidavit that the petitioner is having patta land to an extent of Acs.3.40 in S.No.102/1A and therefore he is not eligible for assignment of patta. The petitioner therefore has no right to seek assignment.

The Writ Petition is therefore dismissed.

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17.2.2006 (V.V.S.RAO, J)

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